IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

WP(C).No. 4207 of 2007(S)

PETITIONER:

PRAKASH C. VADAKKAN,
ADVOCATE, VADAKKAN HOUSE, ANTHINAD P.O., PALA.

BY ADV. SRI.K.RAMAKUMAR, SRI.T.RAMPRASAD UNNI
SMT.T.O.RAJITHA, SRI.M.MANOJKUMAR (CHELAKKADAN)
SRI.A.SAMEER, SRI.V.K.SREENATH
SRI.VINOD.V (EDAPPUNATHIL)

RESPONDENTS:
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1. THE RAJIV GANDHI CENTRE FOR
BIOTECHNOLOGY, JAGATHY, THIRUVANANTHAPURAM-605 014
REPRESENTED BY ITS DIRECTOR.

2. THE CHAIRMAN,
RAJIV GANDHI CENTRE FOR BIOTECHNOLOGY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

* (3. DR. V.V.ASHA,
SCIENTIST, RAJIV GANDHI CENTRE FOR BIOTECHNOLOGY,
JAGATHY, THIRUVANANTHAPURAM-695 014.) - DELETED

4. THE VIGILANCE DIRECTOR,
(VIGILANCE & ANTI-CORRUPTION BUREAU),
THIRUVANANTHAPURAM.

5. THE SECRETARY,
MINISTRY OF SCIENCE & TECHNOLOGY,
GOVERNMENT OF INDIA, NEW DELHI.

* R3 IS DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 7.2.2007 IN W.P.(C) NO.4207/2007

R1, R2 & R4 BY SR.GOVERNMENT PLEADER SMT.K.MEERA
R5 BY ASST. SOLICITOR GENERAL MR.JOHN VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN, Ag.C.J. &
M.N.KRISHNAN, J.

W.P.(C) No.4207 of 2007

Dated, this the 9th day of March, 2007

JUDGMENT

Radhakrishnan, Ag.C.J.

This is a public interest litigation seeking a direction to the second respondent to immediately communicate to the Central Government the consent of the State Government for taking over of the Rajiv Gandhi Centre for Biotechnology by the Central Government forthwith and also other consequential reliefs.

2. Government has passed an order G.O.(MS) No.2/2007/S&TD dated 8.2.2007 according sanction to hand over the Rajiv Gandhi Centre for Biotechnology to Department of Biotechnology, Ministry of Science and Technology, Government of India. Sanction was also accorded for signing the Memorandum of Understanding with Government of India for that purpose. The learned Assistant Solicitor General has also brought to our notice a letter dated 28.2.2007 issued by the Secretary, Government of India, Ministry of Science & Technology, Department of Biotechnology, wherein it is stated

that the Department of Biotechnology has formally received the State Government order and has initiated proceedings for taking over of Rajiv Gandhi Centre for Biotechnology. In the circumstances, no further orders are necessary in this public interest litigation, but for to record the statement made by the learned Assistant Solicitor General.

Writ petition is disposed of accordingly.

Sd/-
K.S.RADHAKRISHNAN,
Ag.CHIEF JUSTICE.

Sd/-
M.N.KRISHNAN,
JUDGE.

vns

/ true copy /

P.S. to Judge